



## LAND USE SERVICES DEPARTMENT

### Planning Division

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## AGRICULTURAL PRESERVE/LAND CONSERVATION CONTRACTS ACTIONS INFORMATION SHEET AND APPLICATION

### **Actual Cost Deposit:**

Planning review initial deposit to establish (LCC) or Cancel (CLC) a Land Conservation Contract (J600) within an existing agricultural preserve	<b>\$2,980.00</b>
Planning review initial deposit to establish/expand (EAP) or disestablish or reduce (DAP) an Agricultural Preserve and/or cancel a Land Conservation Contract (CLC) to include a General Plan Amendment (Map Change) (J601)	<b>\$7,152.00</b>

This Information Sheet provides the information and forms required to establish, expand, disestablish or reduce an Agricultural Preserve boundary and/or to request to establish, non-renew or cancel a Land Conservation Contract.

### **CALIFORNIA LAND CONSERVATION ACT OF 1965 (WILLIAMSON ACT)** **INFORMATION AND APPLICATION PROCEDURES**

### **General Information:**

Statewide concern over the rapid conversion of agricultural land to urban uses led to enactment of the Land Conservation Act of 1965, commonly referred to as the Williamson Act. This Act enables the County to establish Agricultural Preserve to protect an area devoted to any or all of the following: Prime agricultural land, scenic corridor, a wildlife habitat area, salt pond, managed wetland area, a submerged area, a recreational use and/or an open space use. These uses are defined on an attached page. The Board of Supervisors designates additional uses compatible with agricultural activities in Exhibit B of the attached sample contract and retains the option of adding others.

Once a preserve is established, an opportunity has been created for the property owner to contract with the County to preserve his property and to qualify for a property tax assessment based upon use and economic yield rather than the full market value of the property. This special assessment applies only to the living improvements of crops or animals and does not apply to structures (i.e. homes, barns, etc.), which will continue to be assessed as normal. (Note: Refer to California Revenue and Taxation Code, Article 1.5, Sections 921 through 929 for additional information.)

A Land Conservation Contract is in effect for a minimum of ten (10) years and is self-renewing, automatically renewing each year for an additional year, thereby, keeping the term of the contract to a period of ten years. This will continue indefinitely unless the County or the applicant file a Notice of Non-Renewal which will then terminate the contract at the end of its term, usually nine (9) years. Also, if the County Disestablishes an Agricultural Preserve, a Notice of Non-Renewal should be filed by the County. When a Non-Renewal is filed by the applicant, the property tax assessment gradually reverts back to being computed upon full market value rather than use. However, if the County files the notice of non-renewal, the assessment calculation does not change until the final five (5) years. There are no penalties associated with Non-Renewals.

A preserve can be disestablished and a contract can be cancelled provided mutual consent between the owner and the County is obtained. However, contracts may be cancelled by the Board of Supervisors only if the limited use of the land is no longer necessary or desirable for open space and agriculture preservation or if it is determined cancellation would be in the public interest. To assist the Board of Supervisors in making these determinations, the Williamson Act requires that the landowner submit a Conceptual Development Plan describing the proposed alternative use of the land under contract and its impact upon the remaining lands under contract. Also, prior to approval by the Board, the findings specified in the procedure section must be made and the cancellation fees must be paid. The fees normally equal twelve and one-half percent (12.5%) of the property's full cash or market value. There are certain conditions that could allow the Board of Supervisors to modify the penalty charged. However, the landowner may be required to pay deferred property taxes in addition to the cancellation fee. Contracts may also be cancelled under certain circumstances if the property becomes annexed into a city or is the subject of an eminent domain procedure.

The establishment or disestablishment of an Agricultural Preserve requires a General Plan Amendment because the General Plan Maps are changed. The fees associated with a General Plan Amendment would apply.

### **APPLICATION INFORMATION AND PROCEDURES**

General: Applications are obtained and filed at the Public Service Counter. After an application is filed it is reviewed, prepared and finally accepted by the Application Intake Center, staff will notify you of acceptance and scheduling. Following acceptance your application will be sent to the appropriate Regional Planning Team for processing. Notification will be sent to all on the surrounding property owners list, the Agricultural Commission, USDA Soil Conservation Service, any nearby city, Local Agency Formation Commission and any other interested party or agency. ALL are given fifteen (15) days to contact the Planning Department with their comments. If required, environmental procedures will be completed before scheduling the application for hearing or action.

The following lists the specific procedures for each application type and provides a reference to the applicable section of the California Government Code.

1. EAP - Establish or Expand an Agricultural Preserve.

- (a) A request to establish/expand an Agricultural Preserve must be combined with a concurrent request to establish a contract (LCC). A General Plan Amendment is incorporated as part of this application.
- (b) A minimum of five (5) acres is required to expand an existing Preserve. A minimum of one hundred (100) acres is required for a new Preserve unless the Board of Supervisors specifically finds that a unique situation exists that warrants less. Contiguous parcels or parcels under same ownership and in close proximity may be combined to establish one hundred (100) acre minimum. Parcels do not have to be contiguous to be added to an Agricultural Preserve, but should be reasonably close [i.e., within one (1) mile] or else a new Preserve should be formed. If an Agricultural Preserve is approved the land uses are limited to those listed in Exhibit "B" of the attached sample contract.

2. LCC - Establish a Land Conservation Contract.

An application only to establish a Land Conservation Contract does not involve a General Plan Amendment. Therefore, such an application does not need to go to the Planning Commission for public hearing. However, it does require a public hearing before the Board of Supervisors. An approved, signed contract places the land under "enforceable restriction, which limits the property to specified land uses." The contract remains with the land and is binding on all successors in interest to the land.

3. CLC - Cancellation of a Land Conservation Contract.

The State of California Government Code Section 51282 specifies the grounds required to petition for cancellation of a Land Conservation Contract.

4. DAP - Disestablish an Agricultural Preserve.

A request to disestablish/reduce an Agricultural Preserve requires a General Plan Amendment, which is incorporated as part of this application.

## **AGRICULTURAL PRESERVE LAND USE DEFINITIONS**

1. "Prime agricultural land" means any of the following:
  - (a) All land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.
  - (b) Land, which qualifies for rating 80 through 100 in the Storie Index Rating.
  - (c) Land, which supports livestock, used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one (1) animal unit per acre as defined by the United States Department of Agriculture.
  - (d) Land planted with fruit-or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five (5) years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars (\$200) per acre.
  - (e) Land, which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than two hundred dollars (\$200) per acre for three (3) of the previous five (5) years.
2. A "scenic highway corridor" is an area adjacent to, and within view of, the right-of-way of:
  - (a) An existing or proposed State scenic highway in the State scenic highway system established by the Legislature pursuant to Article 2.5 (commencing with Section 260) of Chapter 2 of Division 1 of the Streets and Highways Code and which has been officially designated by the Department of Transportation as an official State scenic highway; or
  - (b) A County scenic highway established pursuant to Article 2.5 (commencing with Section 260) of Chapter 2 of Division 1 of the Streets and Highways Code, if each of the following conditions have been met:
    - (1) The scenic highway is included in an adopted General Plan of the County; and
    - (2) The scenic highway corridor is included in an adopted Specific Plan of the County; and
    - (3) Specific proposals for implementing the plan, including regulation of land use, have been approved by the Advisory Committee on a Master Plan for Scenic Highways, and the County highway has been officially designated by the Department of Transportation as an official County scenic highway.
3. A "wildlife habitat area" is a land or water area designated by the Board of Supervisors, after consulting with and considering the recommendation of the Department of Fish and Game, as an area of great importance for the protection or enhancement of the wildlife resources of the State.
4. A "saltpond" is an area, which, for at least three (3) consecutive years immediately prior to being placed within an agricultural preserve, has been used for the solar evaporation of sea water in the course of salt production for commercial purposes.
5. A "managed wetland area" is an area, which may be an area diked off from the ocean or any bay, river or stream to which water is occasionally admitted, and which, for at least three (3) consecutive years immediately prior to being placed within an agricultural preserve, was used and maintained as a waterfowl hunting preserve or game refuge or for agricultural purposes.
6. A "submerged area" is any land determined by the Board of Supervisors to be submerged or subject to tidal action and found to be of great value to the State as open space.
7. "Recreational use" is the use of land by the public, with or without charge, for any of the following: walking, hiking, picnicking, camping, swimming, boating, fishing, hunting, or other outdoor games or sports for which facilities are provided for public participation. Any fee charged for the recreational use of land shall be in a reasonable amount and shall not have the effect of unduly limiting its use by the public.
8. "Open-space use" is the use or maintenance of land in such a manner as to preserve its natural characteristics, beauty, or openness for the benefit and enjoyment of the public, to provide essential habitat for wildlife, or for the solar evaporation of sea water in the course of salt production for commercial purposes, if such land is within:
  - (a) A scenic highway corridor, as defined in 2.
  - (b) A wildlife habitat area, as defined in 3.
  - (c) A saltpond, as defined in 4.
  - (d) A managed wetland area, as defined in 5.
  - (e) A submerged area, as defined in 6.

## GENERAL PROCEDURES

1. Submit application and fees – County staff will use the checklist to determine whether your application may be accepted. The County's standard Land Use Application shall be used and is contained in this packet.
2. Determination of Application Completeness – County staff will determine whether the materials you have submitted are adequate or if additional materials or reports are required. You will be notified in writing if any additional materials are required.
3. Environmental Action Determination – County staff will prepare an Environmental Initial Study in compliance with the California Environmental Quality Act (CEQA). It is through the Initial Study that the determination is made as to what type of environmental determination will be required. If an Environmental Impact Report (EIR) is required, staff will contact you to explain the process and the costs.
4. Application processing – The project planner will have the project and materials reviewed by all appropriate County Departments and Agencies. Any required corrections, questions or revisions to the plans or other materials will be reviewed by the project planner and then provided to you.
5. Recommendations, conditions of approval and final report – The project planner will prepare these materials for consideration by either the Director of Land Use Services or Planning Commission.

## CHECKLIST OF SUBMITTAL MATERIALS

Please use this checklist as you assemble the materials for the submittal of your application. County staff will use the checklist to determine whether your application is acceptable for submission. **If your submittal package does not contain all of the information listed below, your application will not be taken in and receipted for processing.** If you have any questions about the items requested or if you wish to obtain information on processing schedules, please call the Application Intake Center at (909) 387-8311.

### Application Types:

- EAP - Establish or expand an Agricultural Preserve and request to establish a Land Conservation Contract.
- LCC - Establish a Land Conservation Contract with an existing Agricultural Preserve.
- CLC - Cancel a Land Conservation Contract.
- DAP - Disestablish or reduce an Agricultural Preserve.

### Section A – Fees/Deposit

1. \_\_\_\_\_ Check or money order made payable to “San Bernardino County” in the correct amount.

Planning review fee to establish (LCC) or cancel (CLC) a Land Conservation Contract within an existing agricultural preserve (L600)	<b>\$2,980.00</b>
Planning review initial deposit to establish/expand (EAP) or disestablish/reduce (DAP) an Agricultural Preserve and/or cancel a Land Conservation Contract (CLC) to include a General Plan Amendment (Map Change) (J601)	<b>\$7,152.00</b>

**“Actual Cost Initial Deposit”** – The basic review fees for this application are charged on an “actual cost” basis. Your application money is deposited into an account and the reviewing staff records the time spent processing your proposed project. Your account is then charged for the staff time at established hourly rates (\$63 to \$226/hr). You are responsible for all charges made to the project account. If account funds are depleted an additional deposit will be required. If an additional deposit is required it must be paid to allow staff to continue processing. Any failure to pay the required deposit will result in suspension and possible termination of the project review process. After the review is completed, a minimum deposit balance will be required for condition compliance processing. For more information on fees, please contact County Planning.

## **Section B - County and Other Documents**

**For EAP, LCC and DAP, submit the following:**

2. \_\_\_\_\_ **Fifteen copies** of a completed Land Use Application Questionnaire.
3. \_\_\_\_\_ Completed Hazardous Waste Site Certification form contained in this packet.
4. \_\_\_\_\_ **One copy** of a) the recorded Grant Deed or b) the Quit Claim Deed with the previous Grant Deed for each lot or parcel or c) a copy of a current Preliminary Title Report (issued within 60 days of filing).
5. \_\_\_\_\_ **One certified copy** each, if applicable, of the Articles of Incorporation including the latest statement of officers; the Partnership Papers (limited or general); or the recorded Fictitious Business Name Statement naming the owners(s) of the firm, if either the Grantor or Grantee are Corporations, Partnerships, or Fictitious Firms.
6. \_\_\_\_\_ **One copy** of United States Geological Survey Map of the project area clearly showing project boundaries and labeled with the quadrangle map name and applicant's name. Also delineate the boundary of any existing Agricultural Preserve and/or existing Land Conservation Contract that this application proposes to effect. The U.S.G.S. map may be purchased at a local blueprint company. They are not available at County offices. A legible photocopy of this map is acceptable.

**For DAP, if there is a current Land Conservation Contract in effect on the subject property, submit the following:**

1. \_\_\_\_\_ A letter requesting to cancel the Land Conservation Contract(s) (CLC) or proof that such request has been previously filed, if a Non-renewal of a Land Conservation Contract been active for less than eight (8) years.

**For CLC, submit the following:**

1. \_\_\_\_\_ A letter requesting to cancel the Land Conservation Contract(s) (CLC).
2. \_\_\_\_\_ **Five copies** of a Conceptual Development Plan, drawn to an approximate scale, delineating the property boundary and all property within one thousand (1,000) feet describing existing and proposed uses. In addition, the following information shall be provided on the subject parcel(s): topography and drainage, and the approximately location of all streets, existing public facilities and utilities, land uses and proposed housing types.
3. \_\_\_\_\_ **One copy** of the CLC - Supplemental Report.
4. \_\_\_\_\_ **One copy** of the Land Conservation Contract that pertains to the subject property.

**Note:** State Fish and Wildlife fees may be required before your project can be approved.

If your project is subject to these fees, you will have to submit your payment (<https://www.wildlife.ca.gov/Conservation/CEQA/Fees> depending on project specifics) to the Clerk of the Board of Supervisors within five (5) days after the date of conditional approval. The project planner will then be able to complete the final paperwork at the appropriate time.

If you have any questions concerning the Environmental Filing Fee due to the State, please visit the California Department of Fish and Wildlife Web-Site.  
<https://www.wildlife.ca.gov/Conservation/CEQA>

No Effect Determination (NED) Process. For additional explanation to the regulations and procedures regarding NEDS please see the No Effect Determinations Detailed instructions at the following link.

<https://www.wildlife.ca.gov/Conservation/CEQA/NEDhtml>

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# LAND USE APPLICATION QUESTIONNAIRE

Complete all sections of this application. Please refer to the checklist contained in the information packet for complete information on submittal requirements. The information furnished in this application will be used in evaluating your project pursuant to the California Environmental Quality Act (CEQA). If you believe an item does not apply to your project, mark it "N/A". Do not leave any blank spaces. If you have any questions about items requested on this form, please call the Application Intake Center at (909) 387-8311. **Please use no more than four lines to answer any question. If more space is needed, use Attachment A on page 5 of this application questionnaire.**

**APPLICATION TYPE:****T.T.P.M.#:**

[Take "type" from the top of the cover sheet, i.e. "Conditional Use Permit," "Tentative Tract," etc. (if a tentative map is involved include the map number)]

**All Assessor's Parcel Numbers (APNs):****Section 1 - Applicant Data**

Applicant Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX No.: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Section 2 – Property Owner Data** (If same as above check ☐)

Property owner(s) of record: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX No.: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Section 3 – Representative Data** (If same as above check ☐)

Representative's Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX No.: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Section 4 – Architecture/Engineering Representative Data** (If same as above check ☐)

Representative's Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX No.: \_\_\_\_\_ E-Mail: \_\_\_\_\_

To be completed by County Staff: Filing Date: \_\_\_\_\_ Project No.: \_\_\_\_\_ JCS Project No.: \_\_\_\_\_

## Section 5 – Project Description and Location/Legal Data

Briefly describe the project and use:

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Land Use District: \_\_\_\_\_ Improvement Level: \_\_\_\_\_

Overlay Districts: \_\_\_\_\_

Legal Description: Township: \_\_\_\_\_ Range: \_\_\_\_\_ Section: \_\_\_\_\_

USGS Quad Name: \_\_\_\_\_

Location: Community: \_\_\_\_\_ Nearest cross street: \_\_\_\_\_

Street name: \_\_\_\_\_ Side of street: \_\_\_\_\_

Site Size (Gross acres or square footage): \_\_\_\_\_ Number of lots: \_\_\_\_\_

Site Address: \_\_\_\_\_

Proposed Development Area: \_\_\_\_\_

Size of Proposed Buildings: \_\_\_\_\_

Previously approved land use applications for this site: \_\_\_\_\_

Are you filing other land use applications for this site at this time? Yes ☐ No ☐

If yes, please list other application types \_\_\_\_\_

### UTILITIES:

**Water:** \_\_\_\_\_  
(Name of Provider)

Is the site presently served? Yes ☐ No ☐

If an extension is necessary, how long will it be? \_\_\_\_\_

Are any existing or proposed wells within 200 feet from any existing or proposed liquid waste disposal system?

Yes ☐ No ☐ If yes, attach an explanation

If this is a Tentative Map application, how many service connections have already been made to the existing water system?  
\_\_\_\_\_

**Sewage Disposal:** Septic? Yes ☐ No ☐

**Sewer :** \_\_\_\_\_  
(Name of Provider)

Is the site presently served? Yes ☐ No ☐

If an extension is necessary, how long will it be? \_\_\_\_\_

If septic system/leach lines are proposed or existing, attach information showing proposed or existing location and how the size of the sewage disposal area was determined



**Gas:** \_\_\_\_\_  
(Name of Provider)

Is the site presently served? Yes ☐ No ☐

If an extension is necessary, how long will it be? \_\_\_\_\_

**Electricity:** \_\_\_\_\_  
(Name of Provider)

Is the site presently served? Yes ☐ No ☐

If an extension is necessary, how long will it be? \_\_\_\_\_

**Phone:** \_\_\_\_\_  
(Name of Provider)

Is the site presently served? Yes ☐ No ☐

If an extension is necessary, how long will it be? \_\_\_\_\_

**Cable TV:** \_\_\_\_\_  
(Name of Provider)

Is the site presently served? Yes ☐ No ☐

If an extension is necessary, how long will it be? \_\_\_\_\_

## Section 6 - Environmental Setting

Be sure to answer all of the questions. This information is necessary to evaluate the project under the California Environmental Quality Act (CEQA). You must provide additional information for any answers marked "yes" or "uncertain" in a letter of explanation attached to this application.

1. When do you anticipate starting construction? \_\_\_\_\_

2. Will grading be required? Yes ☐ No ☐

If so, how many cubic yards will be cut? \_\_\_\_\_ How many cubic yards will be filled? \_\_\_\_\_

3. Is the project phased? Yes ☐ No ☐

If yes, describe the phasing: \_\_\_\_\_

4. If residential, indicate the number of units or lots. \_\_\_\_\_

5. If commercial, provide information describing the type of commercial activity proposed, along with square footage of sales area and loading facilities.

6. If industrial, attach information indicating type of industrial activity proposed, square footage of building, estimated employment per shift and loading facilities.

7. If institutional, attach information indicating major function, estimated employment per shift estimated occupancy and loading facilities.

8. Will the use require truck activity? Yes ☐ No ☐

If yes, give truck type(s) and number of axles : \_\_\_\_\_

What is the gross weight of each vehicle: \_\_\_\_\_

**YES**      **NO**      **UNCERTAIN**

9. Will the project change scenic views or vistas from existing residential areas, public lands or roads?

☐      ☐      ☐

10. Will there be a change in dust, ash, smoke, fumes or odors in the vicinity of the project?

☐      ☐      ☐

11. Has the site been surveyed for historical, paleontological or archaeological resources?

☐      ☐      ☐

12. Is the site on filled land or on slope of 10 percent or more?

☐      ☐      ☐

13. Will there be the use or disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives?

☐      ☐      ☐

14. Will there be a change in lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns?

☐      ☐      ☐

15. Will there be any substantial change in existing noise or vibration levels in the vicinity?

☐      ☐      ☐

16. Will there be a substantial change in demand for public services (police, fire, water, sewage, etc.)?

☐      ☐      ☐

17. Has a traffic study been prepared for this site or has the site been included in another traffic study?

☐      ☐      ☐

18. Will the project generate significant amounts of solid waste or litter?

☐      ☐      ☐

19. Will the project change any existing features of hills or make substantial alteration of ground contours?

☐      ☐      ☐

20. Will there be a substantially increase in fossil fuel consumption (electricity, oil, natural gas, etc.)?

☐      ☐      ☐

21. Is there a relationship to a larger project or series of projects?

☐      ☐      ☐

22. List any previous environmental documents or technical studies prepared for this site:

\_\_\_\_\_

23. Describe the project site, as it exists before project implementation, including information on topography, soil stability, plants and animals, and any cultural, historical, or scenic aspects. On an attachment describe any existing structures on the site, and the use of the structures.

24. On an attachment, describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercials, etc.), intensity of land use (single family dwelling(s), apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity.

25. Provide the following information FOR EACH PARCEL to be included in the contract:

Total acreage (each lot): \_\_\_\_\_  
Acreage in production: \_\_\_\_\_  
Agricultural Commodity: \_\_\_\_\_  
Number of dwelling units: \_\_\_\_\_  
Soil Type: \_\_\_\_\_  
Topography: \_\_\_\_\_  
Water Source: \_\_\_\_\_

NOTE: Agricultural Commodity is the existing or planned commercial crop or herd such as dairy, poultry, citrus, vineyard, field crops, row crops, grazing land or other agricultural use.

**Attachment A**

(Please use this form to amplify any answer. Be sure to identify which question is being amplified.)

## APPLICATION CERTIFICATE

**ALL OWNERS OF RECORD MUST SIGN THIS CERTIFICATE:** (Attach it to the application)

List Assessor's Parcel Number(s) of the project property:

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List Assessor's Parcel Number(s) of all property contiguous to the project property, which is owned or beneficially controlled by the individual(s) signing this Certificate: If there are no contiguous properties under the same ownership, STATE "NONE"—**do not leave blank.**

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The undersigned owner(s) or officer(s) in the organization owning the lands for which this application is made, states that he/she or the organization is aware that the application is being filed with the San Bernardino County Planning Division, and certifies under penalty of perjury that the County applications forms have not been altered and that the information contained in this application is true and correct. I (We) acknowledge that additional materials may be necessary to provide to the Planning Division once the preliminary review of the specifics of the project has been initiated.

I (We) further agree that if any information contained in this application proves to be false or incorrect, the County of San Bernardino and any special purpose or taxing district affected thereby are and shall be released from any liability incurred if a certificate of compliance is or has been issued on basis of this application. I understand that under such circumstances any such certificate shall be null and void and shall be returned to the County for cancellation.

If this is an actual cost application, the applicant agrees to pay all accumulated charges for this project. For any type of application, the applicant also agrees to defend, indemnify and hold harmless the County, its agents, officers and employees from any claim, action or proceeding attacking or seeking to set aside, void or annul the approval of all or part of the matters applied for, or any other claim, action or proceeding relating to or arising out of such approval. This requirement includes the obligation to reimburse the County, its agents, officers and employees for any court costs or attorney fees which the County, its agents, officers or employees are required by a court to pay as a result of such claim, action or proceeding. The County agrees to notify the applicant of any such claim, action or proceeding promptly after the County becomes aware of it. The County agrees to cooperate in the defense provided by the applicant. The County may, at its own expense, participate in the defense of the claim, action or proceeding, but such participation will not relieve the applicant of applicant's defense and indemnification obligations.

Any persons signing with Power of Attorney for others must print the names of those individuals in the signature block and attach a notarized copy of the Power of attorney.

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**(Print)** (APPLICANT OR LEGAL AGENT)

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Signature

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Date

REGISTRATION NO.  
(IF R.C.E. OR LICENSED LAND SURVEYOR)

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**(Print)** (OWNER(S) OF RECORD)\*

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Signature

---

Date

---

**(Print)** (OWNER(S) OF RECORD)\*

---

Signature

---

Date

---

**(Print)** (OWNER(S) OF RECORD)\*

---

Signature

---

Date

\*If property is owned by corporation, partnership or other group signee should indicate corporate position or title and submit substantiating documentation (e.g. incorporation certificate).

# HAZARDOUS WASTE SITE CERTIFICATION

This certificate must be submitted with all Development Case Applications except for legislative acts such as General Plan Land Use District changes.

## INSTRUCTIONS

The applicant for this development project shall consult the most current list of identified hazardous waste sites at <http://www.calepa.ca.gov/SiteCleanup/CorteseList/default.htm> to determine whether the development project is located on a site included on the list.

## CERTIFICATION

The undersigned owner, applicant or legal representative of the lands for which this development project application is made, hereby certifies under penalty of perjury, and in accordance with Section 65962.5(e) of the Government Code of the State of California that he (she) has consulted the most current and appropriate list of "CAL/EPA, Facility Inventory Data Base, Hazardous Waste and Substances Sites List," and further certifies that the site of the proposed development project:

☐ Is not located on a site which is included on the Cortese List dated: \_\_\_\_\_

**OR**

☐ Is located on a site included on the Cortese List dated: \_\_\_\_\_.

List all of the Assessor Parcel Numbers (APNs) of the project property:

\_\_\_\_\_

\_\_\_\_\_  
Printed Name of Person Certifying this Review

\_\_\_\_\_  
Signature of Person Certifying this Review

\_\_\_\_\_  
Date